

1 **DRAFT - Subject to approval**

2 **Nuclear Decommissioning Citizen's Advisory Panel (NDCAP)**

3 **Thursday, December 10, 2015**

4 **Vernon Elementary School, Vernon, VT**

5 **Meeting Minutes**

6 NDCAP Members Present:

- 7 • Christopher Recchia, Commissioner of Public Service, ex officio
- 8 • Chris Campany, Executive Director of the Windham Regional Commission (WRC)
- 9 • Stephen Skibniowsky, representing the Town of Vernon
- 10 • Kate O'Connor (Brattleboro), citizen appointee of Governor Shumlin
- 11 • Martin Langeveld (Vernon), citizen appointee of Governor Shumlin
- 12 • James Matteau (Westminster), citizen appointee of Senate President Pro Tempore John
- 13 Campbell
- 14 • Derrick Jordan (Putney), citizen appointee of Speaker of the House Shap Smith
- 15 • David Andrews, International Brotherhood of Electric Workers (IBEW); representing
- 16 present & former employees of Vermont Yankee
- 17 • James Tonkovich (of Wilder), citizen appointee of Senate President Pro Tempore John
- 18 Campbell
- 19 • Paul Paradis, Decommissioning Director, Entergy Nuclear Vermont Yankee (VY)

20
21 The following NDCAP members were connected to the meeting via teleconference:

- 22 • Dr. William Irwin, designee for the Secretary of Human Services
- 23 • Patricia Moulton, Secretary of Commerce and Community Development, ex officio
- 24 • Diane Becker, Chief of Technological Hazards, New Hampshire Emergency Management
- 25 and Homeland Security
- 26 • David Deen (Westminster), VT State Representative citizen appointee of Speaker of the
- 27 House Shap Smith

28
29 The following NDCAP members were absent from the meeting:

- 30 • Mark MacDonald, VT State Senator member of the Senate Committee on Natural
- 31 Resources and Energy
- 32 • Michael Hebert, VT State Representative member of the House Committee on Natural
- 33 Resources and Energy
- 34 • Christopher J. Wamser, Site Vice-President, Entergy Nuclear Vermont Yankee (VY)
- 35 • Trey Martin, Deputy Secretary Agency of Natural Resources
- 36 • Paul W. Mark (Peru, MA), MA State Representative representing the Towns of
- 37 Bernardston, Colrain, Gill, Greenfield, Leyden, Northfield, and Warwick, Massachusetts

38
39 **Meeting called to order at 6:01 pm**

1 **INTRODUCTIONS**

2 The Panel introduced themselves and the Chair gave an overview of the agenda.

3

4 **APPROVE MINUTES:** *No prior minutes to approve.*

5

6 **UPDATE ON NRC's ADVANCE NOTICE OF PROPOSED RULE MAKING Re: DECOMMISSIONING**

7 Kate O'Connor gave a brief overview of the webinar with the NRC last Wednesday. The NRC
8 laid out issues they want to take up when they begin the rule making process. One issue noted
9 is that the public comment period ends on January 4, 2016. The six citizen Panel members
10 drafted a letter to the NRC asking for an extension of the comment period to February 2, 2016.
11 (Letter attached).

12

13 Chris Recchia, made a motion that the letter be submitted on behalf of the full Panel and the
14 language amended to read that the comment period be extended "to at least" February 4,
15 2016. Motion seconded by Dr. Bill Irwin.

16

17 Vote on motion to send letter to NRC on behalf of entire Panel Re: Advance Notice of Proposed
18 Rulemaking:

- 19 • Yes: Steve Skibniowsky, David Andrews, Chris Company, Jim Matteau, Chris Recchia,
20 Kate O'Connor, Martin Langeveld, Derrik Jordan, Jim Tonkovich, Pat Moulton, Bill Irwin,
21 Diane Becker, David Deen.
- 22 • Abstain: Paul Paradis.

23 Kate will amend the letter, get it out to the Panel members and out to the NRC as soon as
24 possible.

25

26 **PUBLIC COMMENT ON DRAFT ADVISORY OPINIONS:**

27 *Public Question: Judy Davidson, Brattleboro, VT, learned at a recent Brattleboro Select Board*
28 *meeting that Entergy is having discussions with the individual towns to dismantle the sirens for*
29 *free giving a time line to decide. She felt this was moving hastily. She asked the Panel if they*
30 *knew about this and if they should ask Entergy to delay negotiating with towns until the Panel*
31 *has had a chance to review emergency preparedness and make recommendations? Answer*
32 *from Derik Jordan: News today was announcement that NRC approved VY request to end the 10*
33 *mile EPZ and go back to fence line, which affects your request. Chris Recchia added that the*
34 *Public Service Board is addressing this issue, which does not go into effect until April of next*
35 *year, thus does not see need for Entergy to move so quickly. Paul Paradis added that VY gave*
36 *options to each town's Select Board and they made the decision.*

37

38 *Public Comment: Leslie Sullivan-Sachs, Brattleboro VT, Safe and Green Campaign wanted to*
39 *commend the Panel for progress made since last December. It gives her confidence on how well*
40 *the Panel is working together now and how she was glad to read the recent article about how*
41 *the Panel is working with other community advisory panels. The Safe and Green Campaign*
42 *prefers that VND CAP consider utilizing the funds the NRC has set aside for the citizen's advisory*
43 *panels, which is apart from the decommissioning funds. They support the WRC for proposing*

1 *one consolidated dry cask storage pad far enough away from the reactor so it does not delay*
2 *decommissioning and they support Dr. Irwin's proposal that emergency planning be based on*
3 *level of risk at the time. Answer: None needed, except best regards to her husband.*

4
5 **NDCAP ADVISORY OPINION DISCUSSION**

6 Discussion ensued over:

- 7 1) Whether one additional ISFSI is sufficient or is there still a need for a third given the
8 plant shut down dates have changed. After reviewing the data, Paul Paradis of Entergy
9 stated he felt the third ISFSI would not be needed. Since the plant is closing earlier than
10 anticipated additional spent fuel will not be generated thus a third pad is no longer
11 needed.
- 12 2) Whether the location of the existing ISFSI will remain safe and secure during dismantling
13 given its proximity to the reactor. Paul Paradis did not foresee and safety or security
14 concerns.

15
16 A lengthy discussion ensued over whether there can be a "guarantee" from Entergy that the
17 location of second ISFSI will not interfere or delay decommissioning and dismantling or increase
18 the cost of decommissioning and dismantling;

- 19 1) The Panel discussed advising the Public Service Board that such a "guarantee" be sought
20 ensuring no additional cost to fall to the State or come out of the NDT.
- 21 2) Chris Recchia of Public Service Dept. suggested perhaps the language of such a request
22 can be changed to "or subject to a guarantee".
- 23 3) The Panel further added that if additional costs are incurred either due to timeliness,
24 resource issues, or if there is a need for a third ISFSI, that the costs come out of some
25 other resource other than the NDT, such as perhaps by DOE.
- 26 4) Chris Campany expressed his concern that it is all about location adding he was not
27 comfortable to move head on either opinion and suggested to withdraw both opinions
28 and work on an alternate one.
- 29 5) Paul Paradis of Entergy stated he cannot support such a guarantee. There are factors to
30 consider such as the engineering feasibility of the plant compared to what they know
31 about other plants. He reminded the Panel that is meeting was set up to keep on track
32 of timely submission of the opinion(s).
- 33 6) Pat Moulton suggested that since we're not going to come to an agreement tonight that
34 the Panel identify points of consensus and contention and form a working group to put
35 together a consensus opinion, and ask the Public Service Board to at least confirm that
36 a. The location of the second ISFSI (and perhaps the first) will not impede on
37 decommissioning; b. whether third pad is needed; and c. If third pad is needed how will
38 it be paid for.
- 39 7) David Andrews wanted to know if in the Entergy version of the opinion whether the
40 "note to Panel" section will be removed before submission. The answer was yes.
- 41 8) Martin Langeveld suggested going around the table and having a statement and record
42 of Panel member positions.

- 1 9) Kate O'Connor acknowledged she hears the Panel is supporting each opinion and seems
2 to be comfortable with the language, although she had one minor change. She did not
3 think there could be a vote on a guarantee, and asked if the Panel wanted to vote on
4 both opinions or one; OR, chose not to vote, comeback together in a working group and
5 at the January meeting discuss suggestions and what is to be submitted to the PSB.
6 10) Chris Recchia noted that the fundamental question is whether the existing site will
7 interfere by either cost or time with the decontamination and dismantlement of the
8 site.
9 11) Tony chimed in to say the technical hearing for the second ISFSI is February 22, 2016 if
10 the Panel really felt they needed the additional time.
11

12 A Motion was made by David Andrews to set up a working group to formulate a new opinion to
13 be discussed at the January 28, 2016 meeting. Motion was seconded by David Deen. The
14 motion carried 14-0 (Yes: Steve Skibniowsky, David Andrews, Chris Campany, Jim Matteau,
15 Chris Recchia, Kate O'Connor, Martin Langeveld, Derrik Jordan, Jim Tonkovich, Pat Moulton, Bill
16 Irwin, Diane Becker, David Deen, Paul Paradis)
17

18 The following members volunteered to be on the working group subcommittee:

- 19 • Christopher Recchia, Commissioner of Public Service, ex officio
- 20 • Chris Campany, Executive Director of the Windham Regional Commission (WRC)
- 21 • Paul Paradis, Decommissioning Director, Entergy Nuclear Vermont Yankee (VY)
- 22 • James Matteau (Westminster), citizen appointee of Senate President Pro Tempore John
23 Campbell
- 24 • Stephen Skibniowsky, representing the Town of Vernon
- 25 • Kate O'Connor (Brattleboro), citizen appointee of Governor Shumlin

26 27 **2016 WORK PLAN**

28 David Andrews provided an Issues Committee Update: The January 28, 2016 meeting might
29 have Dave Howland from Massachusetts DEP talk about the Yankee Rowe experience, their
30 discoveries and issues. We should also be able to approve the advisory opinion of working
31 group; discuss the Annual Report and bring back to the table the possibility of a trip to
32 Montpelier to personally submit the report to the legislature to provide a face to the Panel.
33

34 At the February 26, 2016 meeting we will discuss ground water monitoring advisory opinion.
35 The Issues Committee did not get much further past this point but will meet again after the
36 January meeting and then an update will be given.
37

38 Kate O'Connor provided a Panel Resource Update: She, Chris Recchia and Chris Campany met
39 regarding the resources for the Panel. They began a discussion about what resources the Panel
40 will need to be able to function now and in the future. The discussion will continue.
41

42 Kate also redressed the Panel Meeting Schedule: At the last meeting there was discussion
43 around meeting monthly unless the Chair felt otherwise. Kate suggested the panel meet every

1 other month as a standard and add meetings as needed. After some discussion about how it is
2 easier to cancel a meeting than to add a meeting, especially if a quorum is needed, the Panel
3 agreed to stick with the original plan of slating monthly meetings on their calendars and cancel
4 if not needed.

5

6 **PUBLIC COMMENTS**

7 *None*

8

9 **QUESTIONS AND COMMENTS FROM THE PANEL:**

10 *Comment from Chris Campany: He participated in a National Association Webinar for host*
11 *community on rule making. He thought it was informative and was glad to share this process is*
12 *under way thanks to the help of this Panel. He will send the link and slides to the members and*
13 *suggested it would be a good idea to look at it prior to January meeting.*

14

15 *Comment from Martin Langeveld: Noted that at least two members of this Panel are on that*
16 *panel, thus glad to see us participating in national leadership.*

17

18 *Comment from Kate O'Connor: The election of chair and vice chair will be in January and if*
19 *anyone is interested to serve please come forth. She also added that if the NRC does not extend*
20 *the comment period, the citizen representation of Panel will have something to present.*

21

22 *Comment from Chris Recchia: He was sure the Panel would have something to present.*

23

24 **WRAP UP AND ADJOURN**

25 Next meeting: Thursday, January 28, 2016

26

27 **MEETING ADJOURNED AT 8:25pm**

28

29 NOTE: Video of meeting will be available at brattleborotv.org. Slides of all presentations are
30 available at vydecommissioning.com or www.publicservice.vermont.gov.